

REMARKS

This Reply and Amendment is intended to be completely responsive to the final Office Action. Claims 1-50 are pending in this Application and currently stand rejected. Independent Claims 1, 13, 26 and 38 have been amended to recite subject matter that the Applicants believe is allowable and overcomes the rejections.

The Applicants respectfully request reconsideration of the present Application in view of the foregoing amendments and in view of the reasons that follow.

Interview Summary

The Applicants thank the Examiner for the telephonic interview conducted on October 23, 2006. The Interview was attended by Primary Examiner Blair Johnson, and attorney John Lazarus for the Applicants.

During the interview the Applicants proposed amending the claims to more particularly recite the accessory panel feature, which the Applicants respectfully submit is not disclosed, taught or suggested in the prior art of record. The Examiner suggested that the Applicants add clarity by reciting the accessory panels are connected to the top edge and/or the bottom edge of the face panel of the cornice.

Agreement was reached that the Applicants would prepare a response to the final Office Action with amendments directed to the accessory panel feature of the cornice connectable at the top and/or bottom edges of the face panel, as suggested by the Examiner. The Examiner agreed to review the amended claims for allowability.

The Applicants respectfully reserve the right to pursue additional/alternative claim coverage in a continuation patent application.

Claim Rejections

Independent Claims 1, 13, 26 and 38 currently stand rejected.

Claims 1, 2, 6-10, 12, 38-40 and 44-50 currently stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,039,049 ("Niemi").

Claims 1, 2, 4 and 6 currently stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,505,245 ("Badalamenti").

Claims 13 and 21-25 currently stand rejected under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,967,213 ("Smiley et al.").

Claims 14-19 and 26-37 currently stand rejected under 35 U.S.C. § 103(a) as being unpatentable over Smiley et al. in view of Niemi.

Niemi is directed to a valance [51] that mounts on a curtain rod [10].

Badalamenti is directed to a resilient foam cornice [12] that mounts onto a curtain rod.

Smiley et al. is directed to a window cornice assembly having a front section [60] with an adjustable width, by removing center subsection [63] and abutting side sub sections [61, 65] and using support strips [26] to hold the front section [60] together (see e.g. Figure 9).

The Applicants respectfully submit that none of the cited references disclose, teach or suggest (alone or in any proper combination) a cornice system having the feature of an accessory panel connectable to the face section and extending from a top edge and/or bottom edge to permit a user to customize an appearance of the front face by selectively attaching one or more accessory panels to the face panel.

Upon entry of this Amendment, independent Claims 1, 13, 26 and 38 will be amended to recite (in combination with other elements) the accessory panel feature as discussed in the telephonic interview on October 23, 2006.

The Applicants respectfully request entry of the Amendment and withdrawal of the rejections under 35 U.S.C. § 102(b) and 35 U.S.C. § 103(a) and reconsideration and allowance of independent Claims 1, 13, 26 and 38 (as amended), and dependent Claims 2-12, 14-25, 27-37 and 39-50 as they depend from their respective independent claims.

* * *

The Applicants respectfully submit that each and every outstanding rejection to the pending claims has been overcome, and that the Application is in condition for allowance. The Applicants respectfully request reconsideration and allowance of pending Claims 1-50.

The Examiner is encouraged to contact the undersigned by telephone if the Examiner believes that a telephone interview or Examiner's Amendment would advance the prosecution of the present application.

If any extensions of time are needed for timely acceptance of papers submitted herewith, the Applicants hereby petition for such extension under 37 C.F.R. § 1.136 and authorize payment of any such extensions fees to Deposit Account No. 06-1447.

Respectfully submitted,

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By 

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